

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

SUSAN G. MARTIN

v.

CAROLYN W. COLVIN

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NO. 3:14-0209

ORDER

On January 27, 2014, the pro se plaintiff paid the filing fee in this action and the complaint (Docket Entry No. 1) was filed. Since filing her complaint, the plaintiff has made two filings styled as “clarification of plaintiff’s deprivation & jury demand under 42 U.S. Code § § 1983” (Docket Entry No. 6) and “clarification of plaintiff’s deprivation under 42 U.S. Code § 1983, 1985” (Docket Entry No. 18).

Rule 7(a) of the Federal Rules of Civil Procedure sets out the types of permissible pleadings that may be filed in an action, which generally consists of complaints, answers, cross-claims, counter-claims, and the like. Rule 15 of the Federal Rules of Civil Procedure allows a party to amend its pleading once as a matter of course within 21 days of the defendant’s answer and otherwise only with leave of the Court upon motion for leave to amend.

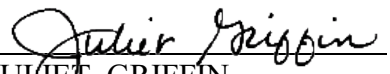
There is no provision permitting a party to “clarify” her claims by making the type of filings the plaintiff has made in this action. Further, the defendant has yet to respond to the complaint by filing an answer or motion to dismiss challenging the claims made by the plaintiff. Accordingly, the two filings, although docketed, are procedurally improper and shall have no import in this action.

If the plaintiff wishes to amend her complaint, she must file a clearly styled amended complaint within the required time period or file a motion to file an amended complaint.

Any party desiring to appeal this Order may do so by filing a motion for review no later than fourteen (14) days from the date this Order is served upon the party. The motion for review must be accompanied by a brief or other pertinent documents to apprise the District Judge of the basis for appeal. See Rule 72.02(b) of the Local Rules of Court.

The Clerk is directed to send a copy of this Order to the plaintiff by regular, first class mail (only).

So ORDERED.


JULIET GRIFFIN
United States Magistrate Judge